

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ERYC HAIRSTON,

Petitioner,

21 **CIVIL** 6503 (NSR)(VR)

-against-

**JUDGMENT**

EARL BELL, Superintendent,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated October 10, 2024, the Court has adopted the Report and Recommendation in its entirety. The petition for a writ of habeas corpus is, therefore, DENIED. As Petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c)(2); *Love v. McCray*, 413 F.3d 619, 195 (2d Cir. 2005); *Lozada v. United States*, 107 F.3d 1011, 1017 (2d Cir. 1997), abrogated on other grounds by *United States v. Perez*, 129 F.3d 225, 259–60 (2d Cir. 1997). The Court certifies pursuant to 18 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962); accordingly, the case is closed.

**Dated:** New York, New York  
October 11, 2024

**DANIEL ORTIZ**

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**Acting Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**